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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AMERICAN CONTRACTORS INDEMNITY
COMPANY, a California corporation,

Plaintiff,

v.

ALPHA ENERGY AND ELECTRIC, INC., a
Missouri corporation, also known as ALPHA
ENERGY AND ELECTRIC DBA ALPHA
GENERAL CONTRACTING; GABRIEL
OKAFOR, an individual; NICKY OKAFOR, an
individual; EMMANUEL NWABUONWU, an
individual; BETTY NWABUONWU, an
individual;

Defendants.

CASE NO: 2:23-cv-00615-JCM-EJY

**STIPULATED DISCOVERY PLAN &
DISCOVERY ORDER SUBMITTED IN
COMPLIANCE WITH LR 26-1(b)**

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure (“FRCP”) and Local Rule 26-1(a), Plaintiff American Contractors Indemnity Company, by and through its counsel, Jordan F. Faux, Esq. of the Faux Law Group and Defendants, by and through their counsel, Stephen J. Moore, Esq. of Krigel & Krigel (collectively referred to as “Parties”), conferred on July 14, 2023. The Parties hereby submit their Stipulated Discovery Plan (“Plan”).

Information Required Under Fed. R. Civ. P. 26(f)

1. Changes in timing, form, or requirement for disclosures (FRCP 26(f)(3)(A)).

a. No changes are needed at this time in the changes should be made in the timing, form, or requirement for disclosures.

b. Initial disclosures will be provided in accordance with FRCP 26(a)(1) on or before **August 14, 2023.**

2. Subjects of Discovery (FRCP 26(f)(3)(B)). The parties anticipate Discovery will take place regarding:

- a. The facts and circumstances that will enable the Court to determine the validity of the allegations found in Plaintiff's Complaint;
- b. The facts and circumstances that will enable the Court to determine the validity of defenses asserted by the Defendants;
- c. Any party may conduct and propound Discovery as allowed by the Federal Rules of Civil Procedure, the Local Rules of the Court and this Order. There is no need at this time to conduct discovery in phases or to be focused on particular issues other than those described above in section 2 a. and b. The parties reserve any general Discovery matters as needed.

3. Electronically Stored Information (FRCP 26(f)(3)(C)). There are no issues to be addressed at this time.

4. Claims of Privilege (FRCP 26(f)(3)(D)). Privilege issues will be addressed on a case-by-case basis. The Parties agree to promptly return any inadvertently disclosed privileged information to the disclosing Party without reviewing or retaining the privileged information upon learning of its privilege.

5. Changes on Limitations of Discovery (FRCP 26(f)(3)(E)). The Parties do not anticipate at this time any changes to limitations imposed discovery imposed by the federal or local rules.

6. Other Orders (FRCP 26(f)(3)(F)). The Parties do not request the issuance of any other orders at this time.

Information Required Under LR 26-1

7. Completion of Discovery (LR 26-1(b)(1)). The parties anticipate that Discovery focused on the above issues can be completed within 180 days from the date of Defendants' Answer (June 13, 2023), which results in a **Discovery Cut-Off Date of December 11, 2023.**

8. Amending the Pleadings and Adding Parties (LR 26-1(b)(2)). Motions to amend pleadings, or to add parties, shall be filed not later than ninety (90) days prior to the close of Discovery, or **September 12, 2023**.

9. Expert Disclosure (Fed. R. Civ. P. 26(a)(2) and LR 26-1(b)(3)). The Parties will disclose experts, if any, not later than sixty (60) days prior to the close of Discovery, or **October 12, 2023**. Rebuttal experts shall be disclosed within thirty (30) days after the initial disclosure of experts and no later than **November 13, 2023**.

10. Dispositive Motions LR 26-1(b)(4)). The parties will file Dispositive Motions, if any, not later than thirty (30) days after the Discovery Cut-Off Date, or **January 10, 2024**.

11. Pretrial Order (LR 26-1(b)(5)). The parties shall file the joint pretrial order no later than thirty (30) days after the date set for filing Dispositive Motions, or **February 9, 2024**. If the Parties file Dispositive Motions, then the duty to submit a pretrial order shall be suspended until thirty (30) days after the final decision on the Dispositive Motions or further Order of the Court.

12. Fed. R. Civ. P. 26(a)(3) Disclosures (LR 26-1(b)(6)). All disclosures required by the Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be included in the joint pretrial order.

13. Alternative Dispute Resolution (LR 26-1(b)(7)). The Parties certify that they met and conferred about the possibility of using alternative dispute-resolution processes including mediation, arbitration, and if applicable, early neutral evaluation.

14. Alternative Forms of Case Disposition (LR 26-1(b)(8)). The Parties certify that they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and use of the Short Trial Program (General Order 2013-01).

DATED this 14th day of July, 2023.

DATED this 14th day of July, 2023.

THE FAUX LAW GROUP

KRIGEL & KRIGEL

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**STIPULATED DISCOVERY PLAN
& DISCOVERY ORDER SUBMITTED IN
COMPLIANCE WITH LR 26-1(b)**

11 IT IS SO ORDERED.

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14 UNITED STATES MAGISTRATE JUDGE

15 DATED: July 15, 2023
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